IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

MONDAY, THE 3RD DECEMBER 2007 / 12TH AGRAHAYANA 1929

OP.No. 24609 of 2001(D)

PETITIONER:

KUIPPALLOTH PARAL MOHAMMED,
S/O.MOIDU, THIRUVILANGAD,
THALASSERY.

BY ADV. SRI.T.M.ABDUL LATHEEF

RESPONDENTS:
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1. **STATE OF KERALA, REP: BY THE SECRETARY TO GOVERNMENT, REGISTRATION DEPARTAMENT, THIRUVANANTHAPURAM.**

2. **DISTRICT COLLECTOR, KANNUR.**

3. **TAHSILDAR, REVENUE RECOVERY, THALASSERY.**

BY GOVERNMENT PLEADER SMT.SMITHA SUKUMARAN.

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 03/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON CMP.NO.40309 OF 2001 IN OP.NO.24609 OF 2001-D.

DISMISSED.

3.12.2007. **Sd/- T.R.Ramachandran Nair, Judge.**

APPENDIX

PETITIONER'S EXHIBITS:-

P1: **Copy of the sale deed No.1712/96 dtd.3.7.1976 of the Sub Registrar, Thalassery.**

P2: **Copy of the Demand Notice dtd.28.7.2001 issued by the 3rd respondent to the petitioner.**

P3: **Copy of the objection filed by the petitioner before the 3rd respondent dtd.9.8.2001.**

RESPONDENTS' EXHIBITS:- **Nil.**

(true copy)

P.S. TO JUDGE.

kvs/-

C.N. RAMACHANDRAN NAIR, J.

O.P. NO. 24609OF 2001

Dated this the 3rd day of December, 2007

JUDGMENT

Petitioner is challenging recovery proceedings for recovery of addl. stamp duty assessed and demanded by the District Registrar. Even though O.P. is pending for the last six years, respondents have not produced final adjudication orders in Court. In the counter affidavit it is conceded that petitioner did not respond to the notice and therefore he was not heard. In the circumstances, I give one more opportunity to the petitioner to appear before the first respondent and file objections against demands treating such demand as notice along with a copy of this judgment within one month from the date of receipt of a copy of this judgment. If the petitioner files objections and documents in support of his case as above directed, then there will be direction to the first respondent to hear the petitioner and pass fresh adjudication orders. If any document is relied on by the first respondent, he shall give copy of the same to the petitioner for him to file objections on the document relied on by the first respondent. If the

petitioner does not appear and file objections within the time stated above, then the demand now raised against petitioner will stand sustained and respondents will be free to proceed to recover the amount after expiry of four months from now. However, if the petitioner files objections as stated above, then fresh orders will be issued by the first respondent and after issuance of fresh orders, he will recall the impugned demand.

O.P. is disposed of as above.

(C.N. RAMACHANDRAN NAIR)
Judge